

Early JOHNSON v. STATE of Arkansas

718 S.W.2d 110

Supreme Court of Arkansas
Opinion delivered November 3, 1986

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that the record was tendered late due to a mistake on his part, is good cause to grant a motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

Henry & Mooney, by: *John R. Henry*, for appellant.

No response.

PER CURIAM. Appellant, Early Johnson, by his attorney, has filed for a rule on the clerk.

His attorney, John R. Henry, admits that the notice of appeal was not timely given due to a mistake on his part.

[1] We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the

motion. See our Per Curiam opinion dated February 5, 1979, In Re: Belated Appeals in Criminal Cases, 265 Ark. 964. A copy of this opinion will be forwarded to the Committee on Professional Conduct.
